

Calendar No. 499

104TH CONGRESS
2D SESSION

H. R. 3396

IN THE SENATE OF THE UNITED STATES

JULY 16, 1996

Received and read the first time

JULY 17, 1996

Read the second time and placed on the calendar

AN ACT

To define and protect the institution of marriage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Defense of Marriage
3 Act”.

4 **SEC. 2. POWERS RESERVED TO THE STATES.**

5 (a) IN GENERAL.—Chapter 115 of title 28, United
6 States Code, is amended by adding after section 1738B
7 the following:

8 **“§ 1738C. Certain acts, records, and proceedings and
9 the effect thereof**

10 “No State, territory, or possession of the United
11 States, or Indian tribe, shall be required to give effect to
12 any public act, record, or judicial proceeding of any other
13 State, territory, possession, or tribe respecting a relation-
14 ship between persons of the same sex that is treated as
15 a marriage under the laws of such other State, territory,
16 possession, or tribe, or a right or claim arising from such
17 relationship.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of chapter 115 of title 28, United States
20 Code, is amended by inserting after the item relating to
21 section 1738B the following new item:

“1738C. Certain acts, records, and proceedings and the effect thereof.”.

22 **SEC. 3. DEFINITION OF MARRIAGE.**

23 (a) IN GENERAL.—Chapter 1 of title 1, United
24 States Code, is amended by adding at the end the follow-
25 ing:

1 **“§ 7. Definition of ‘marriage’ and ‘spouse’**

2 “In determining the meaning of any Act of Congress,
3 or of any ruling, regulation, or interpretation of the var-
4 ious administrative bureaus and agencies of the United
5 States, the word ‘marriage’ means only a legal union be-
6 tween one man and one woman as husband and wife, and
7 the word ‘spouse’ refers only to a person of the opposite
8 sex who is a husband or a wife.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of chapter 1 of title 1, United States
11 Code, is amended by inserting after the item relating to
12 section 6 the following new item:

“7. Definition of ‘marriage’ and ‘spouse’.”.

Passed the House of Representatives July 12, 1996.

Attest:

ROBIN H. CARLE,

Clerk.

Calendar No. 499

104TH CONGRESS
2^D Session

H. R. 3396

AN ACT

To define and protect the institution of marriage.

JULY 17, 1996

Read the second time and placed on the calendar